IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

In re: NationsRent, Inc., et al.,[1] Debtors.	Case Nos. 01-11628 through 01-11639 (PJW) Jointly Administered Chapter 11
NationsRent Unsecured Creditors' Liquidating Trust, Perry Mandarino, not personally, but as Trustee, Plaintiff, v.	District Court Case Nos. (KAJ):
Airdyne Management Inc.	04-CV-714
ASAP Equipment Rental & Sales	04-CV-716
EJ Reynolds, Inc.	04-CV-722
FL Hydraulic Machinery	04-CV-725
GCR Pensacola Truck Tire Ctr.	04-CV-730
Cyrk Inc.	04-CV-734
Mutual Industries	04-CV-737
Harte-Hanks	04-CV-739
US Market Inc.	04-CV-740
Office Management Systems Inc.	04-CV-742
Ingram Trucking LLC	04-CV-744
Saber Fleet Services, Inc. d/b/a Weiland Tire Service	04-CV-753
Maxout Sourcing Services	04-CV-758
The Valvoline Company	04-CV-759
Morgan Marshall Industries Inc.	04-CV-763
Holt Equipment Company Co., LLC	04-CV-772
John Ray and Sons Inc.	04-CV-774
Original Equipment Replacement Parts, Inc.	04-CV-777
Parkway Truck Sales, Inc.	04-CV-781

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Authorized Equipment, Inc.	04-CV-784
Diamond J. Transport, Inc.	04-CV-787
Equiptechs, Inc.	04-CV-789
Olsen Tire	04-CV-792
Southeastern Crane	04-CV-799
Texana Machinery Corp.	04-CV-805
Commercial Tire Inc.	04-CV-806
Tacony Corporation	04-CV-808
Kent Demolition Tools	04-CV-987
Little Beaver, Inc.	04-CV-997
Truck PM Corporation	04-CV-1002
Diamant Boart Inc.	04-CV-1004
Tsurumi (America) Inc.	04-CV-1005
Harbor Graphics Corporation	04-CV-1007
The Miller Spreader Co.	04-CV-1008
US Imaging Solutions	04-CV-1012
Mission Critical System, Inc.	04-CV-1014
Hunt & Sons	04-CV-1019
Empire d/b/a Nortrax	04-CV-1023
Multiquip Inc.	04-CV-1025
Bobcat Company	04-CV-1026
Naab Consulting Corp.	04-CV-1027
Mobile Storage Group, Inc.	04-CV-1028
Black & Veatch Constr.	04-CV-1039
ID Technologies, Inc.	04-CV-1043
Nortrax Equipment Co. South LA	04-CV-1044
Nortrax Equipment Co. SE, LLC	04-CV-1045
Partner Industrial Products	04-CV-1047

Rentlink Inc.	04-CV-1054
JAM Distributing Company	04-CV-1123
Equipment Development Co., Inc.	04-CV-1128
Fischer Group	04-CV-1141
Dossey Holdings, Inc.	04-CV-1155
L&P Financial Services	04-CV-1165
Husqvarna Forest & Garden	04-CV-1176
Jeff Falkanger & Associates	04-CV-1184
Mobile Products, Inc.	04-CV-1186
Morgan Guaranty Trust Company of New York	04-CV-1192
Vector Security Inc	04-CV-1197
Defendants.	

SCHEDULING ORDER

This 18th day of October 2005, the Court having conducted an initial Rule 16 scheduling and planning conference pursuant to Local Rule 16.2(a), and the parties having determined after discussion that the matters cannot be resolved at this juncture by settlement, voluntary mediation, or binding arbitration;

IT IS ORDERED that:

1. Rule 26(a)(1) Initial Disclosures. Unless otherwise agreed to by the parties, the parties shall make their initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1) within fourteen days of the date of this Order.

2. Joinder of other Parties and Amendment of Pleadings. All motions to join other parties, and to amend or supplement the pleadings shall be filed on or before December 16, 2005.

3. Discovery.

a. Limitation on Hours for Deposition Discovery. Each side is limited to a total of 24 hours of taking testimony by deposition of fact witnesses upon oral examination.

b. Location of Depositions. Any party or representative (officer, director, or managing agent) of a party filing a civil action in this district court must ordinarily be required, upon request, to submit to a deposition at a place designated within this district. Exceptions to this general rule may be made by order of the Court. A defendant who becomes a counterclaimant, cross-claimant, or third-party plaintiff shall be considered as having filed an action in this Court for the purpose of this provision.

c. Fact Discovery Cut Off. All fact discovery in these cases shall be initiated so that it will be completed on or before March 17, 2006. The Court encourages the parties to serve and respond to contention interrogatories early in the case. Unless otherwise ordered by the Court, the limitations on discovery set forth in Local Rule 26.1 shall be strictly observed.

d. Disclosure of Expert Testimony. Unless otherwise agreed to by the parties, they shall file their initial Federal Rule of Civil Procedure 26(a)(2) disclosures of expert testimony on or before March 31, 2006; and they shall file a supplemental disclosure to contradict or rebut evidence on the same subject matter identified by another party on or before April 28, 2006. To the extent any objection to expert testimony is made pursuant to the principles announced in Daubert v. Merrell Dow Pharm., Inc., 509 U.S. 579 (1993), it shall be made by motion no later than the deadline for dispositive motions set forth herein, unless otherwise ordered by the Court. All expert discovery shall be initiated so that it will be completed on or before June 1, 2006.

e. Discovery Disputes. Should counsel find they are unable to resolve a discovery dispute, the party seeking the relief shall contact chambers at (302) 573-6001 to schedule a telephone conference. Not less than forty-eight hours prior to the conference, the party seeking relief shall file with the Court a letter, not to exceed three pages, outlining the issues in dispute and its position on those issues. (The Court does not seek extensive argument or authorities at this point; it seeks simply a statement of the issue to be addressed and or summary of the basis for the party's position on the issue.) Not less than twenty-four hours prior to the conference, any party opposing the application for relief may file a letter, not to exceed three pages, outlining that party's reasons for its opposition. Should the Court find further briefing necessary upon conclusion of the telephone conference, the Court will order it. Disputes over protective orders are to be addressed in the first instance in accordance with this paragraph.

4. Papers Filed Under Seal. When filing papers under seal, counsel should deliver to the Clerk an original and one copy of the papers.

5. Settlement Conference. Pursuant to 28 U.S.C. § 636, all proceedings in which the Liquidating Trust is seeking to avoid and recover transfers in the amount of $50,000.00 or greater are referred to the United States Magistrate for the purpose of exploring the possibility of a settlement. The Magistrate Judge will schedule a settlement conference with counsel and their clients to be held within ninety days from the date of this Order.

6. Interim Status Report. On March 17, 2006, counsel for the Liquidating Trust shall file an interim report on the nature of the matters in issue and the progress of discovery to date.

7. Case Dispositive Motions. All case dispositive motions, an opening brief, and affidavits, if any, in support of the motion shall be served and filed on or before July 5, 2006. Briefing will be presented pursuant to the Court's Local Rules.

8. Applications by Motion. Except as otherwise specified herein, any application to the Court shall be by written motion filed with the Clerk. Unless otherwise requested by the Court, counsel shall not deliver copies of papers or correspondence to Chambers. Any non-dispositive motion should contain the statement required by Local Rule 7.1.1.

9. Pretrial/Status Conference. On November 20, 2006, the Court will hold a Rule 16(a), (b), (c), and (d) conference with counsel beginning at 4:30 p.m. to discuss the status of the proceedings. This pretrial/status conference shall be held on the same date as the status conference in the remaining adversary proceedings not subject to this order. Unless otherwise ordered by the Court, the parties should assume that filing the pretrial order satisfies the pretrial disclosure requirement of Federal Rule of Civil Procedure 26(a)(3). The parties shall file with the Court the joint proposed final pretrial order with the information required by the form of Final Pretrial Order which accompanies this Scheduling Order on or before October 30, 2006.

10. Motions *in Limine*. Motions *in limine* shall not be separately filed. All *in limine* requests and responses thereto shall be set forth in the proposed pretrial order. Each party shall be limited to five *in limine* requests, unless otherwise permitted by the Court. The *in limine* request and any response shall contain the authorities relied upon; each *in limine* request may be supported by a maximum of five pages of argument and may be opposed by a maximum of five pages of argument. If more than one party is supporting or opposing an *in limine* request, such support or opposition shall be combined in a single five (5) page submission, unless otherwise

ordered by the Court. No separate briefing shall be submitted on *in limine* requests, unless otherwise permitted by the Court.

11. Trial. These adversary proceedings are scheduled for one-half day bench trials beginning at 9:00 a.m. on December 18-22, 2006. For the purpose of completing pretrial preparations, counsel should plan on each side being allocated a total of two hours to present their case.

The Honorable Kent A. Jordan
United States District Court Judge

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